

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DUNNAM & DUNNAM LLP
Plaintiff,

v.

**DUNHAM LAW FIRM, P.C., §
DUNHAM & JONES L.L.P., § PAUL J.
DUNHAM, JEFFREY R. CASEY, AND
SCOTTY JONES,**
Defendants.

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CASE NO. 6:21-CV-1041-ADA-DTG

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek Gilliland (ECF No. 15). The report recommends that Defendants’ Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 8) should be **DENIED**. The report and recommendation was filed on March 3, 2025.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).


The Defendants timely filed objections on March 17, 2025. ECF No. 16. Plaintiff filed a response to the Defendants’ objections on March 21, 2025. ECF No. 17. Defendants filed a reply in support of their objections on April 7, 2025. ECF No. 18. The Court has conducted a *de novo* review of the motion, the responses, the report and recommendation, the objections to the report

and recommendation, and the applicable laws. The Court has determined that no oral argument is necessary on this issue. After thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Gilliland (ECF No. 15) is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 8) is **DENIED**.

SIGNED this 8th day of April, 2025.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE